



MIAMI-DADE COUNTY
FINAL OFFICIAL
Meeting Minutes

Board of County Commissioners

*Stephen P. Clark Government Center
111 N.W. 1st Street
Miami, FL 33128*

Tuesday, December 15, 2009
As Advertised

Harvey Ruvlin, Clerk
Board of County Commissioners

Diane Collins, Acting, Director
Clerk of the Board Division

Alan Eisenberg, Commission Reporter
305-375-2510



Members Present: Bruno Barreiro; Jose "Pepe" Diaz; Audrey M. Edmonson; Carlos A. Gimenez; Sally A. Heyman; Barbara J. Jordan; Joe A. Martinez; Dennis C. Moss; Dorrin Rolle; Natacha Seijas; Katy Sorenson; Rebeca Sosa; Javier D. Souto

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Alan Eisenberg, Commission Reporter*
305-375-2510

1A ROLL CALL

Report: *The following staff members were present: County Attorney Robert Cuevas, First Assistant County Attorney Abigail Price-Williams; Honorable County Mayor Carlos Alvarez, County Manager George Burgess; Assistant County Manager Alina Hudak; Jennifer Glazer-Moon, Budget Director; and Deputy Clerks Diane Collins and Alan Eisenberg.*

1B MOMENT OF SILENCE

1C PLEDGE OF ALLEGIANCE

Report: *Chairman Moss called the meeting to order and asked that a moment of silence be observed followed by the Pledge of Allegiance.*

1D SPECIAL PRESENTATIONS

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Tuesday, December 15, 2009

1D1

093229

Special Presentation

Dennis C. Moss

PRESENTATION BY DR. ENEIDA O. ROLDAN, PRESIDENT
& CEO, JACKSON HEALTH SYSTEM REGARDING JMH
BUDGETARY STATUS

Presented

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Report: Dr. Eneida O. Roldan, President & CEO, Jackson Health System (JHS) noted that she would be providing an update on the JHS's budget status and planned restructuring efforts. She introduced Public Health Trust (PHT) Board of Trustees' Chairman John H. Copeland III; along with Trustee Members: Mr. Jorge L. Arrizurieta, Ms. Georgina Ford and Mr. Joaquin del Cueto.

Dr. Roldan noted the JHS Restructuring Strategy was a three phase process beginning with Phase I focusing on a 100 Day Plan that closed the \$168 million budget gap to \$62 million. She noted that Phase II considered Management Restructuring efforts and Phase III was related to Long-Term Redesign and Implementation. A complete copy of the "Restructuring Plan Update" is attached as an exhibit to these minutes. She noted the goal was to survive the immediate financial crisis and to build a foundation for the FY 2010 rebound performance.

Dr. Roldan said that the healthcare industry was facing many changes and the impact of healthcare reform efforts in Washington could affect JHS's position as a public safety net hospital. She noted it was anticipated that reform would challenge JHS by reducing Disproportionate Share funding. On a positive note, additional funding could be obtained through the Federal matching percentage for Medicaid and through proposed Medicaid Expansion, said Dr. Roldan. She noted that a deficit existed in the Graduate Medical Education Residency Program; not all training slots received funding; and new slots did not equate to additional funding.

Dr. Roldan introduced Vision 2020 as the Long Term Redesign and Implementation focus for JHS. She noted this plan was built upon JHS's pillars of excellence which includes: service, quality, finance, people, growth, and academic affiliations. Specific details on the plan are outlined in the attached exhibit entitled "Restructuring Plan Update."

Commissioner Sorenson acknowledged Dr. Roldan for her leadership and focus on the JHS issues presented in today's report. She asked Dr. Roldan to provide the County Commission with a report on the status of federal healthcare reform as it related to JHS in the spring of 2010.

Commissioner Heyman commended Dr. Roldan for her efforts to reduce costs and pursue operational efficiencies at JHS. She requested clarification on whether the procurement process for Correctional Health Services (CHS) would be the responsibility of JHS or if the Department of Procurement Management (DPM) under the direction of Ms. Miriam Singer would be involved.

Dr. Roldan responded to Commissioner Heyman that the Request for Proposal (RFP) had already been issued and all departments had participated in its development.

In response to Commissioner Heyman's inquiry pertaining to the appropriate procurement department that would oversee the RFP process, County Manager George Burgess responded that the Public Health Trust (PHT) had issued the RFP. He noted the County was involved to ensure that County and Corrections and Rehabilitations Department (CRSD) concerns were addressed and that the results of the RFP process would be acceptable to all parties.

Commissioner Heyman noted concern over separate procurement

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departments and expressed her desire that the CHS procurement process be handled internally by the County. She noted the DPM had familiarity with the needs of the CRSD; had assisted in the state legislature granting care adjustment rates at the Medicare/Medicaid formula; and had the ability to pursue industrial practices that could affect ancillary services. Commissioner Heyman said to proceed cautiously with the Request for Information related to the outsourcing of patient rehabilitation care. She further expressed concern pertaining to qualified providers of skilled nursing home care acquiring certificates of need and operational licenses for long-term care centers, noting that administrative adjustments needed to be pursued pending federal healthcare reform funding developments.

Dr. Roldan responded to Commissioner Heyman's that the profit and loss for rehabilitation services was further evaluated and issues would be worked out. She indicated the RFP process was underway for long-term care centers and skilled nursing home proposals.

Commissioner Sosa commended Dr. Roldan for her community involvement; for reductions in executive salaries; and for working in cooperation with the unions to accomplish JHS's objectives. She noted that boundaries needed to be respected and that the procurement process needed to remain under the auspices of JHS with County Administration input.

County Manager Burgess concurred with Commissioner Sosa regarding the appropriateness of the JHS procurement process. He noted; however, the importance of remaining closely engaged with the PHT as they addressed numerous issues among the potential industries that could provide required services.

Commissioner Sosa noted that the County needed to remain involved to ensure adherence to federal guidelines; not to manage the procurement process. She further noted that the goal was to obtain a system that provided quality healthcare services.

Commissioner Rolle asked Dr. Roldan to differentiate the roles of the JHS Procurement Department and the County Procurement Department relating to the CRSD's RFP for healthcare services.

Following Commissioner Diaz' inquiry whether industry input was received during the RFP development process, County Manager Burgess noted significant dialogue between JHS and CRSD and that many issues remained which needed to be addressed throughout the procurement process. He noted that JHS needed to evaluate the appropriate business model necessary to provide requested County services.

Dr. Roldan said that this had been an extremely complex process due to the numerous logistics and guidelines involved. She noted the process was a collaborative effort and believed the final outcome would produce positive results.

Commissioner Diaz suggested that collaborative efforts continue and alternative plans were considered in order to limit future budget impact.

Commissioner Souto noted JHS's role in providing quality healthcare services. He further noted JHS provided free services to the County's immigrant and indigent populations. He asked Dr. Roldan to actively pursue efforts to secure additional funding from the federal government for JHS.

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Dr. Roldan described multiple advocacy efforts being addressed at the community, state and federal levels. She noted that on the state level, JHS was among 14 safety net hospitals working together to plan for potential decreases in funding. Dr. Roldan said JHS was part of the National Association of Public Health Hospitals which was active in addressing federal concerns. She noted that institutions in the healthcare industry needed to remain flexible; focus on core efficiencies; closely monitor profit centers; and align with other providers that could provide services more efficiently.

1D2

093250 Special Presentation

Dennis C. Moss

SPECIAL PRESENTATION IN RECOGNITION OF FORMER MIAMI-DADE POLICE DIRECTOR ROBERT PARKER *Presented*

Report: *Chairman Moss and Board members recognized former Miami-Dade Police Director Robert Parker for his 33 years of dedicated service to the community. Mr. Parker was presented with a ship replica by Chairman Moss, noting this honor had only been bestowed previously upon United States Senators and Congress members. Chairman Moss also acknowledged Mr. Parker's wife, Veronica, and his children for their support.*

Mayor Carlos Alvarez recognized Mr. Parker for making the community a better place for County residents to live.

County Manager George Burgess expressed his pleasure to have appointed Mr. Parker as Police Director and for the working relationship which they had developed.

Mr. Parker acknowledged Mayor Alvarez, Board members, and County citizens for the opportunity to have worked in Miami-Dade County.

1D3

100663 Resolution

SPECIAL PRESENTATION IN MEMORY OF MS. CATHERINE WALL

Report: *Commissioner Heyman mentioned that Ms. Catherine Wall, a Miami-Dade County Firefighter passed away yesterday (12/14), while awaiting a bone marrow transplant. She noted the North Miami Beach fire station was recently dedicated in honor of Ms. Wall. Commissioner Heyman said that Ms. Wall would often follow-up fire rescue calls and provide additional assistance, care, food and money to victims as well as care to neighborhood animals.*

Chairman Moss asked to observe a moment of silence and extended condolences to the family of Ms. Wall.

1E CITIZEN'S PRESENTATIONS (5 MINUTES MAXIMUM)

1F REPORTS OF OFFICIAL BOARDS

1G MOTION TO SET THE AGENDA AND "PULL LIST"

Report: County Attorney Robert Cuevas noted in addition to the County Manager's Memorandum entitled "Changes for the December 15, 2009 BCC Meeting," Commissioner Jordan asked that consideration of Item 4A be delayed until her arrival at today's meeting; the addition of Items 6B1 and 6B2 as Policy Matters for Discussion by the Board; Commissioner Heyman asked to release Item 8K1A and the item would remain on the Pull List at the request of Commissioner Edmonson; Commissioner Sosa asked to add Items 8O1A to the Pull List; Commissioner Sosa asked to release Items 8R1A and 8R1B; Commissioner Heyman asked to be listed as a co-sponsor to Item 11A1, 11A3 and 11A7; Commissioners Edmonson and Heyman asked to be listed as co-sponsors to Item 11A2; a Substitute Item for Item 11A11 would be distributed later in the meeting; Item 12A1 had been re-listed as Item 10A2 Substitute; and Item 14A2 had been distributed.

Mr. Cuevas stated the items to be considered at today's meeting, would be those items listed in the printed final agenda, with the additions, deferrals, withdrawals, and scrivener's errors noted in the County Manager's Memorandum entitled "Changes to the December 15, 2009 BCC Meeting," and the aforementioned items. The Commission would approve all of those items by single vote, setting the agenda, except for ordinances on first reading, public hearings, policy matters for discussion under Sections 6B, ordinances on second reading, and the following Pull list Items: 8A1A, 8K1A, 8O1A, 11A5, 11A12, 14A1 and 14A2.

Commissioner Sorenson asked to add Item 11A12 to the Pull List.

It was moved by Commissioner Diaz that the County Manager's Memorandum entitled "Changes for the December 15, 2009 BCC Meeting," be approved with the additional changes noted by County Attorney Cuevas and Commissioner Sorenson. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 11-0, (Commissioners Edmonson and Jordan were absent).

1H OFFICE OF COMMISSION AUDITOR**1I OFFICE OF INTERGOVERNMENTAL AFFAIRS****2 MAYORAL ISSUES****2A MAYORAL VETOES****2B MAYORAL REPORTS**

2B1

093285

Report

Mayor

APPROVAL OF DEPARTMENTAL AGENDA ITEMS

*Approved**Mover: Jose "Pepe" Diaz**Second: Rebeca Sosa**Vote: 11- 0**Absent: Jordan, Edmonson*

2C OTHER ISSUES

3 CONSENT ITEMS

3B1A

093058 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF GRANT ASSISTANCE AGREEMENT NUMBER S0467 WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION TO PROVIDE TITLE V FUNDING IN THE AMOUNT OF \$296,337 FOR AIR POLLUTION CONTROL IN MIAMI-DADE COUNTY; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO RECEIVE AND EXPEND FUNDS, TO EXECUTE AMENDMENTS, TO ACCEPT ADDITIONAL FUNDS THAT MAY BECOME AVAILABLE FOR THIS AGREEMENT AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONTAINED THEREIN (Department of Environmental Resources Management)

*Adopted
Resolution R-1420-09
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

4 ORDINANCES FOR FIRST READING

4A

093198 Ordinance Barbara J. Jordan

ORDINANCE WAIVING THE REQUIREMENTS OF SECTION 2-1799(B) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, LIMITING THE UTILIZATION OF CONTINGENCY RESERVE FUNDS TO ADDRESS UNUSUAL CIRCUMSTANCES WHERE RECOMMENDED BY THE COUNTY MANAGER AND COMMITTEE AND REQUIRING EXTRAORDINARY COMMISSION VOTE; AMENDING THE FISCAL YEAR 2009-10 COUNTYWIDE GENERAL FUND BUDGET TO PROVIDE FUNDING FOR THE INDEPENDENT REVIEW PANEL FROM THE COUNTYWIDE CONTINGENCY RESERVE FUND; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

*The motion that this Ordinance
be Adopted on first reading failed.
Mover: Barbara J. Jordan
Seconder: Natacha Seijas
Vote: 6- 7
No: Heyman, Sosa, Gimenez,
Souto, Martinez, Diaz, Seijas*

Report: County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.

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4B

093191

Ordinance

Natacha Seijas,
Jose "Pepe" Diaz

ORDINANCE RELATING TO COMPREHENSIVE
DEVELOPMENT MASTER PLAN (CDMP); AMENDING
SECTION 2-116.1(3)(C) OF THE CODE OF MIAMI-DADE
COUNTY, FLORIDA, TO REQUIRE CERTAIN DRAINAGE
INFORMATION BE INCLUDED IN ANALYSIS OF CDMP
AMENDMENT APPLICATIONS; PROVIDING
SEVERABILITY, INCLUSION IN THE CODE, AND AN
EFFECTIVE DATE

Adopted on first reading
Public Hearing: January 12,
2010
Mover: Natacha Seijas
Seconder: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Jordan

Report: Assistant County Attorney Abigail Price-Williams read the foregoing
proposed ordinance into the record.

*The foregoing proposed ordinance was adopted on first reading and set for
public hearing before the Budget, Planning and Sustainability Committee
meeting on Tuesday, January 12, 2010 at 2:00 p.m.*

4C

093228

Ordinance

Natacha Seijas,
Jose "Pepe" Diaz,
Audrey M. Edmonson,
Sally A. Heyman,
Rebeca Sosa,
Bruno A. Barreiro,
Barbara J. Jordan,
Dennis C. Moss,
Katy Sorenson,
Dorrian D. Rolle

ORDINANCE ESTABLISHING CHAPTER 22 OF THE CODE
OF MIAMI-DADE COUNTY, FLORIDA; PROHIBITING WAGE
THEFT, PROVIDING ADMINISTRATIVE PROCEDURES AND
PRIVATE CAUSE OF ACTION FOR WAGE THEFT
PROVIDING SEVERABILITY, INCLUSION IN THE CODE,
AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: January 12,
2010
Mover: Natacha Seijas
Seconder: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Jordan

Report: Assistant County Attorney Abigail Price-Williams read the foregoing
proposed ordinance into the record.

*The foregoing proposed ordinance was adopted on first reading and set for
public hearing before the Government Operations Committee meeting on
Tuesday, January 12, 2010 at 9:30 a.m.*

4D

093252 Ordinance

ORDINANCE APPROVING AND ADOPTING END OF YEAR SUPPLEMENTAL BUDGET ADJUSTMENTS FOR FY 2008-09 FOR VARIOUS COUNTY DEPARTMENTS AND FUNDS; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER BOARD ACTIONS WHICH SET CHARGES; APPROPRIATING GRANT FUNDS; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Office of Strategic Business Management)

*Adopted on first reading
Public Hearing: January 12, 2010
Mover: Natacha Seijas
Second: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Jordan*

Report: *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Budget, Planning and Sustainability Committee meeting on Tuesday, January 12, 2010 at 2:00 p.m.*

Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

Note: Pursuant to the County Manager's Memorandum of Changes dated December 15, 2009, a scrivener's error on handwritten page 7 in the Special Obligation and Refunding Bonds Fund 206 (Fund Type D5, Sub fund 2P3, Project 206300), was corrected to reflect the Additional CDT Swap Receipt Revenue from \$1.102 million to \$3.230 million and the Additional Omni Tax Increment Receipt Revenue from \$3.230 million to \$1.102 million.

4E

093064 Ordinance

ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE MODEL CITY URBAN CENTER DISTRICT; CREATING SECTIONS 33-284.99.40 THROUGH 33-284.99.46 OF THE CODE OF MIAMI-DADE COUNTY (CODE); AMENDING SECTION 33C-7 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Adopted on first reading
Public Hearing: November 12, 2010
Mover: Natacha Seijas
Second: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Jordan*

Report: *Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Budget, Planning and Sustainability Committee meeting on Tuesday, January 12, 2010 at 2:00 p.m.

5

PUBLIC HEARINGS (Scheduled for 9:30 a.m.)

5A

092969 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS MAGNOLIA LANDING MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 09-111
Mover: Katy Sorenson
Second: Dorrin D. Rolle
Vote: 12- 0
Absent: Jordan*

Report: Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

Chairman Moss opened the public hearing and called for persons wishing to appear before the Commission in connection with this proposed ordinance. After hearing no one, he closed the public hearing.

There being no questions or comments, the Commission proceeded to vote.

11/17/2009 Adopted on first reading by the Board of County Commissioners

11/17/2009 Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners

5A1

092980 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS MAGNOLIA LANDING MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works Department)

*Adopted
Resolution R-1421-09
Mover: Katy Sorenson
Second: Dorrin D. Rolle
Vote: 12- 0
Absent: Jordan*

Report: Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

Chairman Moss opened the public hearing and called for persons wishing to appear before the Commission in connection with this proposed ordinance. After hearing no one, he closed the public hearing.

There being no questions or comments, the Commission proceeded to vote.

5B

092990 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS TAMiami PLAZA STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 09-112
Mover: Joe A. Martinez
Seconder: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Jordan*

Report: Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

Chairman Moss opened the public hearing and called for persons wishing to appear before the Commission in connection with this proposed ordinance. After hearing no one, he closed the public hearing.

There being no questions or comments, the Commission proceeded to vote.

11/17/2009 Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners

11/17/2009 Adopted on first reading by the Board of County Commissioners

5B1

092991 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS TAMiami PLAZA STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works Department)

*Adopted
Resolution R-1422-09
Mover: Joe A. Martinez
Seconder: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Jordan*

Report: Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

Chairman Moss opened the public hearing and called for persons wishing to appear before the Commission in connection with this proposed ordinance. After hearing no one, he closed the public hearing.

There being no questions or comments, the Commission proceeded to vote.

5C

093125 Resolution

RESOLUTION PROVIDING FOR THE UPGRADING OF STREET LIGHTING SERVICES AT A COMBINED ESTIMATED CAPITAL AND FIRST YEAR RATE INCREASE COST OF \$19,667 AND ADOPTING A REVISED ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS SCOTT LAKE MANOR STREET LIGHTING IMPROVEMENT DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, ORDINANCE NO. 02-12, AND RESOLUTION NO. 7470 (Public Works Department)

*Adopted
Resolution R-1423-09
Mover: Jose "Pepe" Diaz
Second: Dorrin D. Rolle
Vote: 12- 0
Absent: Jordan*

Report: Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

Chairman Moss opened the public hearing and called for persons wishing to appear before the Commission in connection with this proposed resolution.

Ms. Marie Josselyne Moise, 1231 NW 176 Terrace, Miami, 33169, appeared before the Board requesting consideration for amount of property taxes she pays the County.

After hearing no one further come forward, Chairman Moss closed the public hearing.

Commissioner Souto asked the Public Works Department Director to ensure that street lights within Miami-Dade County were functioning properly.

There being no further questions or comments, the Commission proceeded to vote.

5D

093127 Resolution

RESOLUTION APPROVING THE PLAT OF FSS - SOUTH PLAT, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 52 SOUTH, RANGE 41 EAST, AND THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST (BOUNDED ON THE NORTH BY NW 123 STREET, ON THE EAST BY APPROXIMATE NW 36 AVENUE, ON THE SOUTH BY GRATIGNY PARKWAY, AND ON THE WEST BY THE SEABOARD COASTLINE RAILROAD COMPANY R/W) (Public Works Department)

*Adopted
Resolution R-1424-09
Mover: Dorrin D. Rolle
Second: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Jordan*

Report: Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

Chairman Moss opened the public hearing and called for persons wishing to appear before the Commission in connection with this proposed resolution. After hearing no one, he closed the public hearing.

There being no questions or comments, the Commission proceeded to vote.

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5E

093128 Resolution

RESOLUTION APPROVING THE PLAT OF DOLPHMAC, LOCATED IN THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 53 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH BY NW 18 STREET, ON THE EAST BY NW 108 AVENUE, ON THE SOUTH BY NW 17 STREET, AND ON THE WEST BY APPROXIMATELY NW 109 AVENUE) (Public Works Department)

*Adopted
Resolution R-1425-09
Mover: Dorrin D. Rolle
Seconder: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Jordan*

Report: Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

Chairman Moss opened the public hearing and called for persons wishing to appear before the Commission in connection with this proposed resolution. After hearing no one, he closed the public hearing.

There being no questions or comments, the Commission proceeded to vote.

5F

093129 Resolution

RESOLUTION APPROVING THE WAIVER OF PLAT OF ALL STATES AUTO TRANSPORT, INC., D-22581, LOCATED IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 41 EAST (BOUNDED ON THE NORTH BY NW 96 STREET, ON THE EAST BY NW 21 AVENUE, ON THE SOUTH BY NW 95 STREET, AND ON THE WEST BY NW 22 AVENUE) (Public Works Department)

*Deferred to no date certain
Mover: Dorrin D. Rolle
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Jordan*

Report: Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

Chairman Moss opened the public hearing and called for persons wishing to appear before the Commission in connection with this proposed resolution. After hearing no one, he closed the public hearing.

Commissioner Rolle noted concern that All States Auto Transport, Inc. was operating a business illegally in Commission District 2. He requested the County Attorney recommend an appropriate action that would provide the business owner an opportunity to address this concern.

Assistant County Attorney Craig Collier said the Board had the authority to defer consideration of this resolution for an undetermined amount of time in order to conduct an investigation.

It was moved by Commissioner Rolle to defer the foregoing proposed resolution to no date certain until an investigation had been completed. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed by a vote of 12-0 (Commissioner Jordan was absent).

5G

093090

Resolution

Jose "Pepe" Diaz

RESOLUTION CO-DESIGNATING NW 92ND AVENUE FROM OKEECHOBEE FRONTAGE ROAD TO NW 122ND STREET AS "CAPTAIN ALBERTO BENCOSME AVENUE"; URGING THE CITY OF HIALEAH GARDENS TO JOIN IN SUCH CO-DESIGNATION

Adopted

Resolution R-1426-09

Mover: Jose "Pepe" Diaz

Seconder: Rebeca Sosa

Vote: 12- 0

Absent: Jordan

Report: Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

Chairman Moss opened the public hearing and called for persons wishing to appear before the Commission in connection with this proposed resolution. After hearing no one, he closed the public hearing.

Commissioner Diaz recognized the family of the late Captain Alberto Bencosme. He expressed the honor to have introduced legislation supporting the co-designation of NW 92 Avenue from Okeechobee Frontage Road to NW 122 Street in the memory of Captain Bencosme.

There being no further questions or comments, the Commission proceeded to vote.

6

CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

6A

RESOLUTIONS

6A1

093234

Resolution

Dennis C. Moss,

Rebeca Sosa,

Sen. Javier D. Souto

RESOLUTION REAPPOINTING MIAMI-DADE COUNTY INSPECTOR GENERAL CHRISTOPHER R. MAZZELLA TO ANOTHER FOUR-YEAR TERM AND APPROVING EMPLOYMENT CONTRACT BETWEEN MIAMI-DADE COUNTY AND CHRISTOPHER R. MAZZELLA

Adopted

Resolution R-1427-09

Mover: Jose "Pepe" Diaz

Seconder: Rebeca Sosa

Vote: 11- 0

Absent: Jordan, Edmonson

6B

POLICY MATTERS FOR DISCUSSION BY THE BOARD

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6B1

093248

Discussion Item

Dennis C. Moss

MIAMI-DADE COUNTY REDISTRICTING

Presented

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Report: Assistant County Attorney Abigail Price-Williams read the foregoing proposed discussion item into the record.

Chairman Moss asked Mr. Guillermo Olmedillo to provide an overview of the upcoming County Commission District redistricting process. Mr. Olmedillo coordinated the previous redistricting process in his capacity as Planning Department Director, said Chairman Moss.

Mr. Olmedillo noted the redistricting process occurred every ten years and relied on United States Census population data that would be released in April 2011. He said that boundary adjustments were necessary to provide an equal distribution of voters within each Commission Districts due to population shifts. Mr. Olmedillo indicated that population growth was greater at the southern and western boundaries of the County. He noted this growth would result in an outward boundary shift beginning at the northern and eastern portions of the County. He said it was important to educate the community about the redistricting process. Mr. Olmedillo noted it was the Board's responsibility to facilitate the redistricting process, not the Administration.

In response to Commissioner Rolle's inquiry whether today's discussion would satisfy the resolution adopted on December 1, 2009 providing for the assessment of qualifications of redistricting experts, Assistant County Attorney Robert Duvall noted that the resolution required that a Special Meeting be called pursuant to the notice requirements as specified in the Rules of Procedure.

Commissioner Seijas said that time was of the essence and the process needed to begin as soon as possible. She noted the County was encouraged by Mr. John Talmage, President and Chief Executive Officer, Social Compact Consulting Group, to challenge the 2008 US Census population estimates. Commissioner Seijas said that Mr. Marc LaFerrier, Director, Department of Planning and Zoning and Mr. Manuel Armada, Chief, Planning Research, Department of Planning and Zoning, had filed the challenge increasing the County's population by 80,500 people. She noted the upcoming Census data was extremely important since federal funding was determined based upon population statistics. Commissioner Seijas said experts were available in the community who could assist in the redistricting process.

Commissioner Rolle asked the County Manager to schedule a Special Meeting to discuss plans for the redistricting process.

In response to Commissioner Souto's comments that it was important for community participation and meetings to discuss the redistricting process, Mr. Olmedillo said that an implementation plan had not been initiated. He said final 2010 Census population data would be available in April 2011. Mr. Olmedillo noted Maptitude Global Information System (GIS) software would transform the updated Census population data into a local map which could be adjusted to show changes in ethnicity, age, places of residence and other pertinent factors. He said it would be important to have the updated data available; however, there would be no plan of action until initiated by the Board. Mr. Olmedillo noted community meetings were conducted during the previous redistricting process to discuss the process and expectations.

Commissioner Souto noted the Board's concern about transparency in government operations and said the redistricting process needed to be cognizant of this intent.

FINAL OFFICIAL

Mr. Olmedillo commented that open public hearings would be conducted and the process would be governed according to the Sunshine Rule.

Commissioner Gimenez concurred with Commissioner Seijas that the redistricting process was discussed at the Government Operations Committee and a memorandum was provided to Chairman Moss supporting the Mayor's appointment of a Census Count Committee.

Responding to Commissioner Gimenez' inquiry regarding the timeline needed to implement the redistricting process prior to the 2012 elections, Mr. Olmedillo commented that the structure and timeline for the process would be at the discretion of the Board. He noted that the previous process included conversations with every commissioner; an initial draft was prepared with every commissioner's political wishes; and discussions were conducted pertaining to boundary issues. Mr. Olmedillo said that Districts needed to be drawn with ample time for commissioners to campaign within their new Districts. He noted the legal time constraint was for redistricting to be performed every ten years in accordance to updated Census data and these figures would be relied upon by the courts should any legal challenges occur.

Commissioner Gimenez inquired whether any preliminary work needed to be performed prior to the census data being released in April 2011.

Mr. Olmedillo responded that education pertaining to Sections II & V of the Voting Rights Act would be prudent. He noted that preliminary figures were merely estimates and would only provide a generalization of population dynamics based upon political boundaries and not district boundaries.

Commissioner Gimenez questioned whether the beginning of 2011 would be sufficient to begin the process to which Mr. Olmedillo concurred.

Chairman Moss indicated it was his desire that the Board begin thinking about the redistricting process.

Mr. Duvall said that Miami-Dade County was not a Section V Community and its provisions would therefore not apply. He noted that a citizen panel was established pursuant to a 2004 resolution which would be appointed in 2010 and begin meeting during the summer of 2011. Mr. Duvall said a plan would be in-place no later than the winter of 2011. He noted redistricting experts should be available a few months prior to the April 1, 2011 release of data.

Chairman Moss asked Mr. Duvall to provide the Government Operations Committee with the names of redistricting experts.

FINAL OFFICIAL

Board of County Commissioners

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Tuesday, December 15, 2009

6B2

093249

Discussion Item

Dennis C. Moss

OFFICE OF COMMUNITY ADVOCACY

Presented

FINAL OFFICIAL

Report: *Chairman Moss noted this item was included for discussion today so that the Office of Community Advocacy would remain a viable program.*

Commissioner Jordan suggested that the Office of Community Advocacy (OCA) be funded through the Office of the Chair.

Chairman Moss said that he had established a temporary allocation to permit the OCA to continue providing essential community services until the Board could have the opportunity to develop a permanent plan. He noted that it was premature to suggest that the funding continue from the Office of the Chair.

Commissioner Sosa noted this issue needed to be resolved. She said that these Boards were active in the community and contributed to the positive image of Miami-Dade County. Commissioner Sosa noted the elimination of the Commission on the Status of Women would be detrimental. She suggested that a workshop be conducted to fully address this situation.

Chairman Moss noted that he would continue providing temporary funding through his budget to continue offering uninterrupted services. He said that a determination needed to be made as to whether there was support to continue OCA funding.

Commissioner Gimenez suggested that Chairman Moss present his future vision for the OCA to the Board for consideration.

Commissioner Diaz said his resolution should have resolved the issue. He concurred with Commissioner Sosa that the OCA Boards were extremely important and the lack of action presented a negative community image. Commissioner Diaz acknowledged Chairman Moss for providing the continued funding. Commissioner Diaz encouraged the scheduling of the proposed meeting to allow ample time to fully discuss this matter.

Commissioner Sorenson noted her support for continued funding and that it was imperative that a final decision be made as expeditiously as possible.

Commissioner Martinez said he did not believe it was anybody's intention for the OCA Boards to be eliminated. He noted the contentious issue was related to administrative reductions and not the continuation of program officer positions.

Commissioner Jordan noted that it would be necessary to resolve the issue before the end of the year if temporary funding was coming from the Office of the Chair. She further noted a previous agenda item which would transfer the Office of Community Relations from the County Manager's Office to the Office of the Chair without targeting any specific individuals and without any budget changes. Commissioner Jordan said the Board did not trust the process and failed to support the continuation of important OCA Boards throughout the budget process.

Commissioner Diaz said the objective of OCA Boards was to provide service to the community and not to give selective preferences to specific individuals. He noted the goal was to resolve the problem and to ensure that the ethnic entities within our communities continue to have adequate representation. Commissioner Diaz expressed his appreciation to Chairman Moss for his continued funding and looked forward to the upcoming discussion.

Chairman Moss noted the OCA was extremely important to our community and that it would take an extraordinary effort by the County Commission and Administration to develop a solution. He said it appeared that there was a desire for resolution; that the issues could be resolved and that consensus could be obtained.

Note: Pursuant to the County Manager's Memorandum of Changes dated December 15, 2009, a scrivener's error on page 11 of the preliminary agenda was corrected to reflect the language to read, "Office of Community Advocacy" in lieu of "the Community Relations Board."

7 ORDINANCES SET FOR SECOND READING

7A

091902	Ordinance	Rebeca Sosa
	ORDINANCE RELATING TO MIAMI-DADE COUNTY COMMISSION ON ETHICS AND PUBLIC TRUST; AMENDING SECTION 2-1074 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO CLARIFY AUTHORITY OF COMMISSION ADVOCATE, STATE ATTORNEY AND INSPECTOR GENERAL REGARDING COMPLAINTS FILED WITH ETHICS COMMISSION; PROVIDING THAT THE CHAIRPERSON OF THE ETHICS COMMISSION MAY ISSUE SUBPOENAS; REQUIRING ETHICS COMMISSION TO FORWARD COPY OF FINAL ORDER FINDING A VIOLATION TO ENTITY WITH AUTHORITY TO TAKE APPROPRIATE DISCIPLINARY ACTION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE	<i>Deferred to no date certain</i>
6/30/2009	Adopted on first reading by the Board of County Commissioners	
6/30/2009	Tentatively scheduled for a public hearing by the Board of County Commissioners to the Health, Public Safety & Intergovernmental Cmte	
7/10/2009	Municipalities notified of public hearing by the Board of County Commissioners to the Health, Public Safety & Intergovernmental Cmte	
10/15/2009	Forwarded to BCC with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte	
11/3/2009	Deferred by the Board of County Commissioners	

7B

091903

Ordinance

Rebeca Sosa,
Sally A. Heyman,
Sen. Javier D. Souto

ORDINANCE RELATING TO CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE ("ETHICS ORDINANCE"); AMENDING DEFINITION OF IMMEDIATE FAMILY TO INCLUDE DOMESTIC PARTNER, STEPCHILDREN AND STEPPARENTS; AMENDING DEFINITION OF FINANCIAL INTEREST AND EMPLOYEES; PROVIDING FOR DEFINITION OF DOMESTIC PARTNER AND CONTRACT STAFF; PROVIDING THAT CONTRACT STAFF MUST COMPLY WITH CERTAIN PROVISIONS OF THE ETHICS ORDINANCE; PROHIBITING COUNTY COMMISSIONERS, MAYOR, QUASI-JUDICIAL PERSONNEL AND ADVISORY PERSONNEL FROM PARTICIPATING FOR SPECIFIED TIME PERIOD IN ANY MATTER REGARDING PRIOR EMPLOYER OR ENTITY IN WHICH OFFICIAL HELD A FINANCIAL INTEREST; PROVIDING THAT COMMISSION STAFF MAY SOLICIT GIFTS ON BEHALF OF NONPROFIT ORGANIZATIONS UNDER CERTAIN CIRCUMSTANCES; PROVIDING THAT GOVERNMENTAL LETTERHEAD MAY ONLY BE USED FOR OFFICIAL PUBLIC BUSINESS; PROHIBITING FORMER MEMBER OF COMMUNITY COUNCIL FROM APPEARING BEFORE COMMUNITY COUNCIL FOR PERIOD OF TWO YEARS AFTER SERVICE; DELETING EXEMPTION THAT PROVIDES THAT FORMER COUNTY OFFICIALS, DEPARTMENTAL PERSONNEL AND EMPLOYEES ARE NOT PROHIBITED FROM LOBBYING ON BEHALF OF GOVERNMENTAL ENTITIES, NONPROFIT ENTITIES OR EDUCATIONAL INSTITUTIONS WITHIN THE TWO-YEAR PERIOD AFTER COUNTY SERVICE; PROVIDING THAT DEPARTMENTAL PERSONNEL AND EMPLOYEES WHO WERE PREVIOUSLY EMPLOYED BY A NOT-FOR-PROFIT ENTITY ARE PRECLUDED FOR SPECIFIED PERIOD OF TIME FROM PERFORMING CONTRACT-RELATED DUTIES REGARDING THAT ENTITY; AMENDING JURISDICTION OF ETHICS COMMISSION TO INCLUDE CONTRACT STAFF AND CONSULTANTS; INCREASING FINES WHERE PERSON INTENTIONALLY VIOLATES ETHICS ORDINANCE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Deferred to no date certain

- 6/30/2009** Tentatively scheduled for a public hearing by the Board of County Commissioners to the Health, Public Safety & Intergovernmental Cmte
- 6/30/2009** Adopted on first reading by the Board of County Commissioners
- 7/10/2009** Municipalities notified of public hearing by the Board of County Commissioners to the Health, Public Safety & Intergovernmental Cmte
- 10/15/2009** Forwarded to BCC with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte
- 10/21/2009** Legislative notes attached by the Commission Auditor
- 11/3/2009** Deferred by the Board of County Commissioners

8 **DEPARTMENTAL ITEMS**

8A **AVIATION DEPARTMENT**

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, December 15, 2009

8A1A

093138

Resolution

RESOLUTION APPROVING CHANGE ORDER MDAD-5
WITH SIEMENS ENERGY & AUTOMATION, INC. FOR
NORTH TERMINAL DEVELOPMENT BAGGAGE HANDLING
SYSTEM INSTALLATION, PROJECT NO. B703A1, IN THE
MAXIMUM AMOUNT OF \$46,000,000, APPROVING A
CHANGE IN CORPORATE NAME, AND AUTHORIZING
COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME
(Aviation Department)

Adopted

Resolution R-1419-09

Mover: Jose "Pepe" Diaz

Seconder: Dorrin D. Rolle

Vote: 11- 1

No: Martinez

Absent: Seijas

FINAL OFFICIAL

Report: Commissioner Martinez noted his opposition to the June 2008 contract price increase and stated that it would be inappropriate to approve the price increase being requested today.

Mr. Jose Abreu, Director, Miami-Dade Aviation Department, responded to Commissioner Martinez' inquiry about relocating American Airlines to the South Terminal, noting this was not possible due to a difference in the relationship to the airfield. He said that 20 airlines currently operated out of the South Terminal. Mr. Abreu noted the hub between Terminals H & J was not functional due to United Airlines bankruptcy which had a negative impact upon South Terminal concessionaires.

Commissioner Sorenson suggested Mr. Abreu provide an overview of the financial aspects of this change order.

Commissioner Jordan requested information pursuant to whether the timeline for the scheduled recovery plan and revised completion dates would be met.

Mr. Abreu responded to Commissioner Jordan that adherence to the Baggage Handling System's (System) completion schedule could not be guaranteed. He noted that the System was the most sophisticated in the world and his encouragement over a recent integrated systems test on 800 bags with 100-percent accuracy.

In response to Commissioner Jordan's request for an update as to whether any remaining funds from the previous North Terminal settlement existed, Mr. Abreu indicated that \$105 million was being reimbursed by American Airlines and was being paid out over a 10 -15 year period. He said there was a settlement from Turner Construction for \$75 million and the remainder was applied to Siemens and Sumitomo. Mr. Abreu indicated that he was comfortable that all funds were fully accounted for.

Commissioner Jordan noted a current investment of approximately \$100 million and expressed concern whether American Airlines intentionally removed a segment of the project from the contract to save costs and to limit their liability.

Mr. Abreu responded to Commissioner Jordan that he believed American Airlines had included the crossovers in the initial System design. He noted that the design was rejected twice by a Change Management Board which consisted of American Airlines representatives. Mr. Abreu indicated that it was his opinion that the recommended changes were necessary; some basis for reimbursement existed; and deferred the reimbursement issue to the County Attorney to address directly with American Airlines legal staff.

Assistant County Attorney David Murray noted that the agreement with American Airlines required a reimbursement to the County for some of the costs associated with the System. He said the reimbursement would not begin until after System completion and the amount of reimbursement was unknown. Mr. Murray noted that maximum reimbursement would be pursued.

In response to Commissioner Jordan's inquiry whether this would be the final change order related to the System, Mr. Abreu said the changes were part of a lump sum which included 59 individual items that would contractually satisfy Transportation Security Administration (TSA) requirements. He noted that a ripple effect on other contracts could occur should the schedule not be adhered to.

FINAL OFFICIAL

Commissioner Heyman noted her participation in meetings attended by the Aviation Department and American Airlines pertinent to today's agenda item. She further noted that this approval was necessary and was not an option for further consideration. Commissioner Heyman said that it was her understanding that the problems being addressed today were different from those previously encountered. She noted that sole proprietary restrictions were no longer in place; therefore, contractor proposals needed to be accepted. Commissioner Heyman said that damages could be recovered rather than pursued through litigation. She noted liability and exposure was limited as a result of developing partner relationships. Commissioner Heyman asked Mr. Abreu to discuss exposure restrictions; liability limitations; damages limitations; performance criteria and sureties included in the new contractual agreement subject to the change order.

Mr. Abreu responded the contracts that were assumed from American Airlines were substantially inferior to the worst County contract which he had ever seen. He noted that the request was to implement the 59 necessary changes that would be negotiated as a lump sum amount. Mr. Abreu said that the contract limited Siemens' exposure to \$4 million and removed the potential for any future litigation. He noted that the requested changes would carry the contract through the TSA systems testing phase.

Commissioner Heyman noted Siemens was a sole source provider with numerous other County contracts. She said that although the General Fund was not impacted, these costs would affect Airport operations resulting in increased fees to future visitors. She noted it was important to ensure future contracts contained provisions that would limit damages and potential exposure.

Mr. Abreu noted exposure to the Capital Improvement Program changes was half the amount that was projected; no deadlines were missed; and the budget had not been exceeded.

Commissioner Sorenson asked Mr. Abreu to provide an overview of the proposed Change Order.

Mr. Abreu responded that the Change Order addressed necessary design upgrades; was an over-the-budget request; and was not for cost overruns. He said the total cost was \$63 million of which \$17 million was currently in the reserve account, leaving a funding shortfall of \$46 million. Mr. Abreu noted this request was necessary to satisfy TSA safety and efficiency requirements; County Code requirements; and operational changes identified through system simulation studies. He said that without these additional upgrades, TSA would not reimburse \$54 million to the County from previous required changes and would not provide the necessary operations certification.

Commissioner Diaz noted this request was substantiated based upon his review and discussions with staff. He said that the changes were necessary; the work had been done; all parties involved were committed to the completion of the project; and it would be prudent to move forward.

Commissioner Souto inquired whether there would be any possibility to arrange an alternative payment schedule with Siemens.

Mr. Abreu responded that Siemens had submitted estimates for each Change Order item and these estimates were being negotiated in good faith against

the Aviation Department's Consultants estimates. He noted that although Siemens was authorized to bill for time and material, they were suggesting an alternative to convert all items into a lump sum billing and provide an operational guarantee. Mr. Abreu said that the requested changes were requested by the County and were not the responsibility of Siemens. He noted the only issue with Siemens was related to their being 11 months behind schedule. Mr. Abreu said that the County was floating the bonds and Siemens was responding positively to all negotiations.

Mr. Abreu confirmed Commissioner Sosa's statements that the Change Orders were the result of County requests and were the result of simulations conducted by American Airlines and TSA requirements.

Commissioner Sosa inquired whether any additional funding could be reimbursed from the federal government as a result of these TSA requirements to which Mr. Abreu responded that there would be no additional reimbursements and no other options seemed viable other than those presented today.

Commissioner Rolle commended Mr. Abreu on System's sophistication.

12/4/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Airport and Seaport Committee

8B (No items were submitted for these sections.)

thru
8J

8K DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

8K1A

093244 Resolution

RESOLUTION AUTHORIZING THE BOARD TO ADOPT AND APPROVE THE REVISED CITIZEN PARTICIPATION PLAN AND GUIDELINES FOR MIAMI-DADE COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND MIAMI-DADE COMMUNITY ACTION AGENCY EFFECTIVE UPON ADOPTION (Department of Housing and Community Development)

Adopted
Resolution R-1428-09
Mover: Audrey M. Edmonson
Seconder: Barbara J. Jordan
Vote: 12- 0
Absent: Barreiro

8L (No items were submitted for these sections.)

thru
8N

8O PROCUREMENT MANAGEMENT DEPARTMENT

801A

093241 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR COMPETITIVELY BID CONTRACTS AWARDED UNDER THE COUNTY MAYOR OR COUNTY MAYOR DESIGNEE'S DELEGATED AUTHORITY (Procurement Management Department)

Adopted
Resolution R-1429-09
Mover: Barbara J. Jordan
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Seijas

Report: Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

Commissioner Sosa noted concern that this proposed resolution was delegating the authority to the County Mayor or designee to purchase executive search and consulting services in the amount of \$150,000, and whether these funds were included in the FY 2009-10 Budget.

Ms. Angela Maher, Director, Human Resources Department, responded that this funding was being requested to accommodate hard to fill or specialized position recruitment. She noted recruitment expenditures of \$500,000 in FY 2006-07; \$72,000 in FY 2007-08 and no expenditures in FY 2008-09. Ms. Maher said approximately eight executive searches had been conducted which saved the County almost \$500,000 by utilizing existing in-house resources and expertise for recruitment efforts.

Commissioner Sosa inquired about the specific departments that would require hard to fill or specialized position recruitment.

Ms. Maher responded that it would depend upon the specific position and that the request for funding was being made should the need arise in the future for these services.

Commissioner Sosa noted that she would not support this portion of the proposed resolution unless specific expertise was required that could not be satisfied through the rehiring of employees who had recently been terminated from County employment due to budget constraints.

There being no objection, the Board bifurcated the foregoing proposed resolution in order to vote separately on Item No. 1: Executive Search and Consulting Services Pool.

It was moved by Commissioner Jordan that this proposed resolution be adopted with the exclusion of Item No. 1: Executive Search and Consulting Services Pool which was voted on separately. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 12-0, (Commissioners Seijas was absent).

It was moved by Commissioner Jordan that Item No. 1: Executive Search and Consulting Services Pool within the foregoing proposed resolution be approved. This motion was seconded by Commissioner Sorenson, and upon being put to a vote, passed by a vote of 10-2, (Commissioners Sosa and Souto voted "no") (Commissioner Seijas was absent).

801B

093242

Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR NON-COMPETITIVE CONTRACTS AWARDED UNDER THE COUNTY MAYOR OR THE COUNTY MAYOR DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES (Procurement Management Department)

*Adopted
Resolution R-1430-09
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

8P

(No items were submitted for this section.)

8Q

SEAPORT DEPARTMENT

8Q1A

093156

Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE A STEVEDORING AND SECURITY SERVICE ACCESS AND UNITARY INVOICE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND NCL (BAHAMAS), LTD. ("NCL"); AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE A NON-EXCLUSIVE SECURITY SERVICE CONTRACT BETWEEN MIAMI-DADE COUNTY AND AMERICAN GUARD SERVICES, INC.; WAIVING COMPETITIVE BIDDING IN CONNECTION WITH THE APPROVAL AND EXECUTION OF THE AFOREMENTIONED SECURITY SERVICE CONTRACT WITH AMERICAN GUARD, INC., AND IN CONNECTION WITH THE STEVEDORING AND SECURITY ACCESS AND UNITARY INVOICE AGREEMENT WITH NCL; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL RIGHTS CONFERRED THEREIN (Seaport Department)

*Adopted
Resolution R-1431-09
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

12/4/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Airport and Seaport Committee

8R

WATER AND SEWER DEPARTMENT

8R1A

093222

Resolution

RESOLUTION APPROVING CONSTRUCTION CONTRACT NO. W-857(A) IN THE AMOUNT OF \$16,287,364.16 TO POOLE & KENT COMPANY OF FLORIDA FOR THE CONSTRUCTION OF A RESERVOIR AND A HIGH SERVICE PUMP STATION FOR THE 20 MILLION GALLONS PER DAY SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

*Adopted
Resolution R-1432-09
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

8R1B

093224 Resolution

RESOLUTION APPROVING CONSTRUCTION CONTRACT NO. S-829(A) IN THE AMOUNT OF \$11,364,490 TO POOLE & KENT COMPANY OF FLORIDA FOR THE CONSTRUCTION OF THE SEPTAGE RECEIVING AND SOLIDS (FATS, OIL AND GREASE) PROCESS BUILDING AT THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

Adopted
Resolution R-1433-09
Mover: Jose "Pepe" Diaz
Second: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson

9**ADDITIONAL DEPARTMENTAL ITEMS**

9A1

092897 Resolution

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE ATTACHED INTERLOCAL AGREEMENT BETWEEN THE CITY OF SUNNY ISLES BEACH AND MIAMI-DADE COUNTY TO PROVIDE FILM PERMITTING SERVICES (Film & Entertainment)

Adopted
Resolution R-1434-09
Mover: Jose "Pepe" Diaz
Second: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson

11/10/2009 Forwarded to BCC with a favorable recommendation from the Housing & Community Development Committee

9A2

092898 Resolution

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE ATTACHED INTERLOCAL AGREEMENT BETWEEN THE CITY OF HIALEAH AND MIAMI-DADE COUNTY TO PROVIDE FILM PERMITTING SERVICES (Film & Entertainment)

Adopted
Resolution R-1435-09
Mover: Jose "Pepe" Diaz
Second: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson

11/10/2009 Forwarded to BCC with a favorable recommendation from the Housing & Community Development Committee

10**AUTHORITIES, BOARDS, COUNCILS AND TRUSTS**

10A1

092634 Resolution

RESOLUTION APPROVING AMENDMENTS TO BYLAWS OF THE PUBLIC HEALTH TRUST AS REQUIRED BY CHAPTER 25A-3(F) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (Public Health Trust)

Withdrawn
Mover: Jose "Pepe" Diaz
Second: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson

10/15/2009 Forwarded to BCC with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte

10/21/2009 Legislative notes attached by the Commission Auditor

11/3/2009 Deferred by the Board of County Commissioners

10A2

093179 Resolution

RESOLUTION CONCURRING IN MIAMI-DADE COUNTY EXPRESSWAY AUTHORITY'S DESIGNATION OF UNDERWRITERS FOR PROPOSED NEGOTIATED SALE OF TOLL SYSTEM REVENUE BONDS AND THE ISSUANCE OF OTHER LEGALLY AUTHORIZED INDEBTEDNESS TO FINANCE OR REFINANCE ACQUISITION, CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS TO AND EXPANSION OF EXPRESSWAY SYSTEM AND OTHER TRANSPORTATION FACILITIES (Expressway Authority)

Withdrawn

Report: SEE AGENDA ITEM 10A2 SUBSTITUTE, LEGISLATIVE FILE NO. 093275.

10A2 SUBSTITUTE

093275 Resolution

RESOLUTION CONCURRING IN MIAMI-DADE COUNTY EXPRESSWAY AUTHORITY'S DESIGNATION OF UNDERWRITERS FOR PROPOSED NEGOTIATED SALE OF TOLL SYSTEM REVENUE BONDS AND THE ISSUANCE OF OTHER LEGALLY AUTHORIZED INDEBTEDNESS TO FINANCE OR REFINANCE ACQUISITION, CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS TO AND EXPANSION OF EXPRESSWAY SYSTEM AND OTHER TRANSPORTATION FACILITIES [SEE ORIGINAL ITEM UNDER LEGISTAR NO. 093179] (Expressway Authority)

*Adopted
Resolution R-1436-09
Mover: Jose "Pepe" Diaz
Second: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

11 COUNTY COMMISSION

11A RESOLUTIONS

11A1

093160 Resolution

Katy Sorenson,
Sally A. Heyman,
Rebeca Sosa,
Barbara J. Jordan

RESOLUTION URGING THE FLORIDA LEGISLATURE TO REINSTATE FUNDING FOR THE FLORIDA FOREVER PROGRAM BY SEEKING AN APPROPRIATION OF \$15 MILLION FOR THE FISCAL YEAR 2010-11 STATE BUDGET

*Adopted
Resolution R-1437-09
Mover: Jose "Pepe" Diaz
Second: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

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11A2

093084

Resolution

Katy Sorenson,
Sally A. Heyman,
Rebeca Sosa,
Audrey M. Edmonson

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ELIMINATE THE CAP ON STATE AND LOCAL
AFFORDABLE HOUSING TRUST FUNDS AND TO INCREASE
FUNDING FOR AFFORDABLE HOUSING

Adopted
Resolution R-1438-09
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson

11A3

093086

Resolution

Katy Sorenson,
Sally A. Heyman,
Rebeca Sosa

RESOLUTION URGING THE FLORIDA LEGISLATURE NOT
TO PASS "TABOR" LEGISLATION THAT WOULD PROPOSE
TO EMBED IN THE FLORIDA CONSTITUTION REVENUE
CAPS ON LOCAL GOVERNMENTS

Adopted
Resolution R-1439-09
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson

11A4

093180

Resolution

Rebeca Sosa

RESOLUTION RELATED TO STATE FUNDING FOR THE
SOUTH FLORIDA REGIONAL TRANSPORTATION
AUTHORITY/TRI-RAIL AND A POSSIBLE UPCOMING
SPECIAL SESSION OF THE FLORIDA LEGISLATURE

Withdrawn
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson

12/1/2009 4 Day Rule Invoked by the Board of County Commissioners

11A5

093183

Resolution

Bruno A. Barreiro

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
PASS SB 346, HB 73 OR SIMILAR LEGISLATION THAT
WOULD IMPLEMENT THE WORKING WATERFRONT
AMENDMENT TO THE FLORIDA CONSTITUTION

Amended

Report: (SEE AGENDA ITEM 11A5 AMENDED;
LEGISLATIVE FILE NO. 100080.

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11A5 AMENDED

100080

Resolution

Bruno A. Barreiro

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS SB 346, HB 73 OR SIMILAR LEGISLATION THAT WOULD IMPLEMENT THE WORKING WATERFRONT AMENDMENT TO THE FLORIDA CONSTITUTION [SEE ORIGINAL ITEM UNDER FILE NO. 093183]

*Adopted as amended
Resolution R-1440-09
Mover: Bruno A. Barreiro
Seconder: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Seijas*

Report: Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

Commissioner Barreiro noted an amendment needed to be read into the record.

Assistant County Attorney Jess McCarty read the amendment into the record.

It was moved by Commissioner Barreiro that this proposed resolution be adopted as amended to add the following language to handwritten page five, the fourth line of Section 1 "all types of working waterfronts, water dependent marine industrial activities and uses including but not limited to shipping terminals, tugboat basins, marinas, dry stacks, boat yards, marine repair, marine manufacturing and commercial fishing." The motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 12-0; (Commissioner Seijas was absent).

11A6

093188

Resolution

Sally A. Heyman,
Rebeca Sosa

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS SB 218, HB 319 OR SIMILAR LEGISLATION PROVIDING THAT COUNTIES PAY HEALTH CARE PROVIDERS AT MEDICAID RATES FOR INMATE MEDICAL CARE

*Adopted
Resolution R-1441-09
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

11A7

093184

Resolution

Katy Sorenson,
Sally A. Heyman

RESOLUTION URGING THE U.S. CONGRESS AND THE FLORIDA LEGISLATURE TO FULLY FUND COMPREHENSIVE EVERGLADES RESTORATION PROJECT (CERP) PROJECTS IN MIAMI-DADE COUNTY

*Adopted
Resolution R-1442-09
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

FINAL OFFICIAL

11A8

093235**Resolution****Audrey M. Edmonson**

RESOLUTION APPROVING THE ALLOCATION OF PRIOR YEARS' UNEXPENDED DISTRICT 3 DISCRETIONARY RESERVE FUNDS AND FY 2009-10 OFFICE BUDGET FUNDS OF DISTRICT 3

*Adopted
Resolution R-1443-09
Mover: Dorrin D. Rolle
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

11A9

093199**Resolution****Joe A. Martinez**

RESOLUTION APPROVING THE ALLOCATION OF UNEXPENDED FY 2008-2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 11

*Adopted
Resolution R-1444-09
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

11A10

093240**Resolution****Natacha Seijas**

RESOLUTION RESCINDING PREVIOUS ALLOCATIONS APPROVED DURING FY 2006-07 AND FY 2007-08 FROM DISTRICT 13 DISCRETIONARY RESERVE FUNDS, OFFICE FUNDS AND COUNTY SERVICES RESERVE FUNDS, AND APPROVING ALLOCATION OF UNEXPENDED DISTRICT 13 FY 2006-07 DISTRICT DISCRETIONARY RESERVE FUNDS, ALLOCATION OF UNEXPENDED FY 2007-08 DISTRICT 13 COUNTY SERVICES RESERVE FUNDS AND ALLOCATION OF FY 2009-10 OFFICE BUDGET FUNDS OF DISTRICT 13

*Adopted
Resolution R-1445-09
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

11A11

093255**Resolution****Dorrin D. Rolle**

RESOLUTION RESCINDING ALLOCATION OF \$8,000 TO NORTH MIAMI BEACH OPTIMIST FROM DISTRICT 2 DISCRETIONARY RESERVE FUNDS AND REALLOCATING SAID FUNDS TO NORTH MIAMI BEACH YOUTH FOOTBALL & CHEERLEADING, INC.

Withdrawn

Report: SEE AGENDA ITEM 11A11 SUBSTITUTE, LEGISLATIVE FILE NO. 093283

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

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11A11 SUBSTITUTE

093283

Resolution

Dorrin D. Rolle

RESOLUTION RESCINDING PREVIOUS ALLOCATIONS
FROM DISTRICT 2 DISCRETIONARY RESERVE FUNDS AND
REALLOCATING SAID FUNDS TO VARIOUS
ORGANIZATIONS

Amended

Report: During consideration of the changes to today's agenda, the
foregoing proposed resolution was adopted by the Board.

*It was moved by Commissioner Rolle that the foregoing proposed resolution
be reconsidered. The motion was seconded by Commissioner Diaz and upon
being put to a vote, passed by a vote of 12-0; (Commissioner Martinez was
absent).*

*It was moved by Commissioner Rolle that the foregoing proposed resolution
be adopted as amended to change the name from NFL YET (Youth Education
Town) to Gwen Cherry Park Foundation Park Inc. The motion was seconded
by Commissioner Sosa and upon being put to a vote, passed by a vote of 12-0;
(Commissioner Martinez was absent).*

The foregoing proposed resolution was assigned R-1446-09.

11A12

093266

Resolution

Dennis C. Moss

RESOLUTION APPROVING THE ALLOCATION OF FUNDS
IN AN AMOUNT EQUAL TO \$80,800 FROM FISCAL YEAR
2009-10 FUNDS IN THE OFFICE OF THE CHAIR DIVISION OF
THE BOARD OF COUNTY COMMISSIONERS FUND TO
FUND SECURITY AT STEPHEN P. CLARK CENTER

Deferred to no date certain

Mover: Dennis C. Moss

Second: Joe A. Martinez

Vote: 12- 0

Absent: Seijas

11A13

093146

Resolution

Dennis C. Moss

RESOLUTION AUTHORIZING CAPITAL TRUST AGENCY TO
OPERATE WITHIN JURISDICTIONAL BOUNDARIES OF
MIAMI-DADE COUNTY FOR CERTAIN LIMITED PURPOSES;
APPROVING EXECUTION AND DELIVERY OF INTERLOCAL
AGREEMENT WITH CAPITAL TRUST AGENCY
REGARDING ITS ISSUANCE OF BONDS ON BEHALF OF
MIAMI COMMUNITY CHARTER SCHOOL, INC.;
APPROVING ISSUANCE SUCH REVENUE BONDS IN
AMOUNT NOT TO EXCEED \$11,000,000 AS REQUIRED BY
SECTION 147(F) OF THE INTERNAL REVENUE CODE OF
1986, AS AMENDED; AND PROVIDING FOR OTHER
RELATED MATTERS

Adopted

Resolution R-1447-09

Mover: Jose "Pepe" Diaz

Second: Rebeca Sosa

Vote: 11- 0

Absent: Jordan, Edmonson

12/8/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the
Budget, Planning and Sustainability Committee

11B

ADDITIONAL BUDGET ALLOCATIONS

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, December 15, 2009

11B1

093289 Report

ALLOCATION OF CARRYOVER (FY) 2008/09 OFFICE
OPERATING BUDGET FUNDS (DISTRICT 3)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *The following funding allocations were made from fiscal year (FY) 2008/09 District 3 Carryover Office Operating Budget Funds as requested by Commissioner Edmonson.*

\$1,000 to Delta Educational, Health and Cultural Initiative Re: 2009 Royal Poinsettia Gala
\$654 to Purchase on P-Card -- Television donated to Culmer Congregate Meals Program
\$500 to Haitian American Grassroots Coalition

11B2

093290 Report

REIMBURSEMENT FROM COMMUNITY-BASED
ORGANIZATION FUNDS - OFFICE ACCOUNT FUNDS
(DISTRICT 4)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *The following funding allocations were reimbursed from District 4 Community Based Organization -- Office Account Funds as requested by Commissioner Heyman.*

\$250 from WPBT
\$90 from Greater Miami Jewish Federation
\$180 from Michael Ann Russell JCC
\$1,000 from I Have a Dream Foundation
\$1,500 from March of Dimes
\$2,000 from Best Buddies

FINAL OFFICIAL

11B3

093291 Report

ALLOCATION OF (FY) 2009/10 OFFICE ACCOUNT BUDGET FUNDS (DISTRICT 4)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *The following funding allocations were made from fiscal year (FY) 2009/10 District 4 Office Account Budget Funds as requested by Commissioner Heyman.*

\$450 to Aventura Marketing Council
\$1,000 to Sunrise Community Inc., for Holiday Cards
\$1,050 to Center for Advancement of Jewish Education for Miami Jewish Film Festival
\$2,000 to David L. Singer Memorial Foundation for Special Olympics
\$500 to Miami Symphony Orchestra

11B4

093292 Report

ALLOCATION OF (FY) 2009/10 OFFICE FUNDS (DISTRICT 5)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *The following funding allocation was made from fiscal year (FY) 2009/10 District 5 Office Funds as requested by Commissioner Barreiro.*

\$6,606.40 to American Coach Line of Miami for Transportation for Seniors

11B5

093293 Report

ALLOCATION OF CARRYOVER (FY) 2008/09 BUDGET FUNDS (DISTRICT 8)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *The following funding allocations were made from fiscal year (FY) 2008/09 District 8 Carryover Budget Funds as requested by Commissioner Sorenson.*

\$30,000 to Women's Fund
\$10,000 to Dade Community Foundation

11B6

093294 Report

ALLOCATION OF CARRYOVER (FY) 2008/09 FUNDS
(DISTRICT 9)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *The following funding allocations were made from fiscal year (FY) 2008/09 District 9 Carryover Funds as requested by Chairman Moss.*

\$5,000 to Wal-Mart to purchase toys for the District 9 Annual Toy Drive
\$525 to Moe's Party Rental for District 9 Annual Book Bag Giveaway
(invoice #25463)
\$1,470 to Franmar to transport District 9 children to Dodge City Annual Christmas Party and Santa's Enchanted Forest

11B7

093295 Report

ALLOCATION FROM DISTRICT DISCRETIONARY RESERVE
FUNDS (DISTRICT 10)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *For the record, Commissioner Souto requested that the following allocations made from District 10 Discretionary Reserve Funds be rescinded:*

\$10,000 allocated to Youth Coop on 10/04/07
\$1,000 allocated to Keep SOBER Fund to aid victims of Drunk Driving on 10/16/07
\$2,700 allocated to Kids & Families Foundation on 12/06/07
\$18,000 allocated to Florida International University Board of Trustees – Metropolitan Center on 12/20/07
\$1,000 allocated to GBSL Baseball and Softball League on 1/10/08
\$3,000 allocated to Coral Estates Soccer Club on 2/07/08
\$12,500 allocated to Miami Dade College Book Fair on 2/21/08
\$590 allocated to St. Thomas the Apostle Church on 6/03/08

11B8

093296 Report

ALLOCATIONS MADE ON 9/02/08 FROM DISTRICT 10
DISCRETIONARY RESERVE FUNDS

Approved
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *For the record, Commissioner Souto requested that the following allocations made on 9/02/08, from District 10 Discretionary Reserve Funds be rescinded:*

\$1,000 Christina Kids
\$3,000 St. Kevins Catholic Church
\$1,000 Rockway Middle School
\$1,000 Tropical Elementary School
\$1,000 St. Thomas the Apostle
\$500 Asociacion Antiguos Scouts de Cuba

11B9

093297 Report

ALLOCATION OF (FY) 2009/10 DISTRICT DISCRETIONARY
RESERVE FUNDS (DISTRICT 10)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *The following funding allocations were made from fiscal year (FY) 2009/10 District 10 Discretionary Reserve Funds as requested by Commissioner Souto.*

\$20,000 to South Florida Autism Charter School, Inc.
\$5,000 to Sister & Brothers Forever, Inc.
\$5,000 to Read to Succeed Program
\$5,000 to Voices for Children

11B10

093298 Report

ALLOCATIONS FROM OFFICE FUNDS (DISTRICT 10)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *For the record, Commissioner Souto requested that the following allocations from District 10 Office Funds be rescinded:*

\$5,000 Sister & Brothers Forever, Inc., on 10/26/09
\$5,000 Read to Succeed Program on 11/17/09
\$5,000 Voices for Children on 11/17/09

11B11

093299 Report

ALLOCATION OF (FY) 2009/10 DISTRICT DISCRETIONARY
RESERVE FUNDS (DISTRICT 12)

Approved
Mover: Jose "Pepe" Diaz
Second: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *The following funding allocations were made from fiscal year (FY) 2009/10 District 12 Discretionary Reserve Funds as requested by Vice-Chairman Diaz.*

\$1,000 to Paradise Christian School
\$871.43 to John I. Smith Elementary

For the record, Vice-Chairman Diaz asked to rescind an allocation made on September 15, 2009, for \$17,621 to Doubletree Miami Mart Hotel and reallocate \$15,750 to Doubletree Miami Mart Hotel

11B12

093300 Report

ALLOCATION OF (FY) 2009/10 OFFICE BUDGET FUNDS
(DISTRICT 12)

Approved
Mover: Jose "Pepe" Diaz
Second: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *The following funding allocations were made from fiscal year (FY) 2009/10 District 12 Office Budget Funds as requested by Vice-Chairman Diaz.*

\$1,500 to El Venezolano Newspaper Ad
\$900 to Doral Newspaper Ad
\$750 to Ciudad Doral Newspaper Ad
\$1,818.68 from his District 12 Office Budget to reimburse purchasing card expenses for toys distributed to cancer patients at Miami Children's Hospital

11C REPORTS

12 COUNTY MANAGER

12A1

093179 Resolution

RESOLUTION CONCURRING IN MIAMI-DADE COUNTY EXPRESSWAY AUTHORITY'S DESIGNATION OF UNDERWRITERS FOR PROPOSED NEGOTIATED SALE OF TOLL SYSTEM REVENUE BONDS AND THE ISSUANCE OF OTHER LEGALLY AUTHORIZED INDEBTEDNESS TO FINANCE OR REFINANCE ACQUISITION, CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS TO AND EXPANSION OF EXPRESSWAY SYSTEM AND OTHER TRANSPORTATION FACILITIES (Expressway Authority)

Not considered

Report: SEE AGENDA ITEM 10A2 SUBSTITUTE; LEGISLATIVE FILE NO. 093275.

Note: Pursuant to the County Manager's Memorandum of Changes dated December 15, 2009, a scrivener's error on page 22 of the preliminary agenda was corrected to move the forgoing proposed resolution to page 18 of that agenda, under Section 10, entitled AUTHORITIES, BOARDS, COUNCILS AND TRUSTS

12A2

093261 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT AND GENERAL RELEASE BETWEEN THE STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL; PORT OF PALM BEACH; TAMPA PORT AUTHORITY; MIAMI-DADE COUNTY; KEY WEST AND VIRGINIA HARBOR SERVICES, INC. REGARDING THE PURCHASE OF MARINE PRODUCTS; AND AUTHORIZING MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ALL OTHER RIGHTS CONFERRED THEREIN (County Manager)

*Adopted
Resolution R-1448-09
Mover: Jose "Pepe" Diaz
Second: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

12A2 SUPPLEMENT

093279 Supplement

SUPPLEMENTAL INFORMATION RE: SETTLEMENT AGREEMENT AND GENERAL RELEASE BETWEEN STATE OF FLORIDA, OFFICE OF ATTORNEY GENERAL; PORT OF PALM BEACH; TAMPA PORT AUTHORITY; MIAMI-DADE COUNTY; KEY WEST AND VIRGINIA HARBOR SERVICES, INC

*Presented
Mover: Jose "Pepe" Diaz
Second: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

12A3

093221 Resolution

RESOLUTION APPROVING SETTLEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY, ZURICH AMERICAN INSURANCE COMPANY, PARSONS TRANSPORTATION GROUP, INC., ODEBRECHT CONSTRUCTION, INC., AND PARSONS-ODEBRECHT JV IN THE AMOUNT OF \$1,850,000.00 (County Manager, County Attorney)

*Adopted
Resolution R-1449-09
Mover: Jose "Pepe" Diaz
Second: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson*

13 **COUNTY ATTORNEY****14** **ITEMS SUBJECT TO 4-DAY RULE**

14A1

093277

Resolution

Carlos A. Gimenez

RESOLUTION DIRECTING THE MAYOR, THROUGH THE OFFICE OF COUNTYWIDE HEALTHCARE PLANNING, AND THE OFFICE OF INTERGOVERNMENTAL AFFAIRS TO MONITOR THE NATIONAL HEALTH CARE REFORM DEBATE AND BILLS IN BOTH CHAMBERS OF CONGRESS AND REPORT ALL DEVELOPMENTS TO THE BOARD OF COUNTY COMMISSIONERS, THROUGH ITS HEALTH, PUBLIC SAFETY AND INTERGOVERNMENTAL COMMITTEE

*Adopted**Resolution R-1450-09**Mover: Carlos A. Gimenez**Second: Jose "Pepe" Diaz**Vote: 12- 0**Absent: Seijas*

14A2

093287

Resolution

Dennis C. Moss

RESOLUTION RELATING TO THE APPOINTMENT OF MEMBERS TO THE PERFORMANCE AND EFFICIENCY COMMISSION AND AMENDING RESOLUTION R-874-09 TO ALLOW THE CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO APPOINT TWO MEMBERS TO SUCH COMMISSION

*Adopted**Resolution R-1451-09**Mover: Dennis C. Moss**Second: Audrey M. Edmonson**Vote: 12- 0**Absent: Seijas***15** **CLERK OF THE BOARD****15B** **REPORTS**

15B1

093230

Report

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES SUBMITTED FOR FIRST READING ON DECEMBER 15, 2009 (Clerk of the Board)

Accepted

15B2

093231

Report

COUNTY COMMISSION MINUTES FOR APPROVAL BY THE BOARD
JULY 2, 2009 (REGULAR MEETING)
JULY 21, 2009 (SPECIAL MEETING) (Clerk of the Board)

*Approved***15C** **COUNTY ADVISORY BOARD APPOINTMENTS**

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, December 15, 2009

15C1

093233 Nomination

RE-APPOINTMENT OF MEMBERS TO THE
ENVIRONMENTAL QUALITY CONTROL BOARD (EQCB):
DRS. WILLIAM HOPPER, JR., ROBERT POPE, AND CLAIRE
BRADSHAW-SIDRAN

Appointed
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Jordan, Edmonson

15C2

100666 Nomination

APPOINTMENT OF MARIA MITCHELL TO THE
COMMUNITY IMAGE ADVISORY BOARD

Appointed
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Martinez

Report: *The Board of County Commissioners accepted and the Clerk of the Board of County Commissioners received the appropriate memorandum for the foregoing appointment of Maria Mitchell made by Commissioner Rebeca Sosa.*

15C3

100668 Nomination

RE-APPOINTMENT OF KELLY C. MALLETTE TO THE SAFE
NEIGHBORHOOD CITIZENS OVERSIGHT BOARD

Appointed
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Martinez

Report: *The Clerk of the Board of County Commissioners received the appropriate memorandum for the foregoing re-appointment of Kelly C. Mallette made by Commissioner Sally A. Heyman.*

15C4

100669 Nomination

APPOINTMENT OF SANDRA HIX TO THE COMMISSION ON
DISABILITY ISSUES.

Appointed
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Martinez

Report: *The Clerk of the Board of County Commissioners received the appropriate memorandum for the foregoing appointment of Sandra Hix made by Commissioner Sally A. Heyman.*

15D COUNTY ADVISORY BOARD APPOINTMENTS BY BALLOT

15E MAYOR'S REQUEST FOR ALLOCATIONS FROM DISCRETIONARY OR IN-KIND RESERVE FUNDS

16 ITEMS SCHEDULED FOR THURSDAY

16A SPECIAL PRESENTATIONS (Scheduled for 8:00 am)

16A1

093247 Service Awards Dennis C. Moss

GARY E. EUBANKS- ANIMAL SERVICES - 30 YRS *Presented*
MELVIN LOWE-AVIATION- 30 YRS
FRANCISCO C. BORGES- BUILDING DEPT. - 30 YRS.
VERDELL VAN LOAN-CAA - 35 YRS.
MIGUEL ARMENTEROS- CORRECTIONS DEPT. - 30 YRS.
PATRICIA RANDOLPH- HUMAN SERVICES- 35 YRS.
NATHANIEL JACKSON JR.-G.S.A. - 30 YRS.
MARVIN MILLER-G.S.A. - 30 YRS.
ROWLAND J. NEIL IV-G.S.A. - 35 YRS.
BYRON D. ROE-G.S.A. - 30 YRS.
LUIS G. FRANQUI-PUBLIC WORKS DEPT. - 30 YRS.
ALVIN R. BROWN-SOLID WASTE MGMT. - 30 YRS.

16A2

093265 Special Presentation Sally A. Heyman

MIAMI-DADE FIREFIGHTER NICK DIGIACOMO WAS *Presented*
SELECTED AS THE INTERNATIONAL ASSOCIATION OF
FIRE CHIEFS TO RECEIVED THE 2009 BENJAMIN
FRANKLIN FIRE SERVICE AWARD FOR VALOR

16A3

093269 Proclamation Rebeca Sosa

PROCLAMATION TO MIAMI MEDICAL TEAM FOUNDATION *Presented*

16A4

093270 Commendation Rebeca Sosa

COMMENDATIONS TO: *Presented*

- 1) MR. JESUS ARGAIN
- 2) DISPATCHER: JENNIFER RIVAS
- 3) FIREFIGHTER: CAPT. WILFREDO PEREZ
- 3) FIREFIGHTER: ANA K. GABUARDI
- 4) FIREFIGHTER: GREGORY COVIELLO

16A5

093274 Proclamation Katy Sorenson

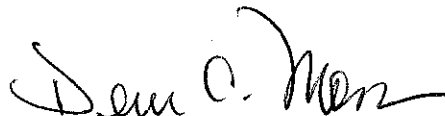
PROCLAMATION TO MR. HUGO DELGADO *Presented*

16A6

093281 Special Presentation Dennis C. Moss


SPECIAL PRESENTATION TO LARISSA WILLIAMS- *Not presented*
LECONTE - 2009 RECIPIENT OF THE SISTER CITIES
SCHOLARSHIP

- 16B ZONING AGENDA (Scheduled for 9:30 a. m.)
- 16C METROPOLITAN PLANNING ORGANIZATION AGENDA (Scheduled for 2:00 p.m.)
- 19 ADJOURNMENT



Dennis C. Moss, Chairman

ATTEST: HARVEY RUVIN, CLERK



By: Diane Collins, Acting, Deputy Clerk